

FUDGE, and Mr. ELLISON changed their vote from “yea” to “nay.”

Mr. REYES, Ms. CASTOR of Florida, and Messrs. HALL of New York, LUJÁN and SMITH of Washington changed their vote from “nay” to “yea.”

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Ms. WASSERMAN SCHULTZ. Madam Speaker, pursuant to the instructions of the House in the motion to recommit, I report the bill, H.R. 2918, back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Ms. WASSERMAN SCHULTZ:

Page 2, line 9, strike “\$1,375,300,000” and insert “\$1,375,200,000”.

Page 5, line 19, strike “\$317,940,000” and insert “\$317,840,000”.

Page 5, line 25, strike “\$278,378,000” and insert “\$278,278,000”.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 232, nays 178, not voting 23, as follows:

[Roll No. 413]

YEAS—232

Abercrombie	Connolly (VA)	Griffith
Ackerman	Conyers	Grijalva
Aderholt	Cooper	Gutierrez
Andrews	Costa	Hall (NY)
Baca	Courtney	Halvorson
Baird	Crenshaw	Hare
Baldwin	Crowley	Hastings (FL)
Barrow	Cuellar	Heinrich
Becerra	Cummings	Herseth Sandlin
Berkley	Dahlkemper	Higgins
Berman	Davis (CA)	Hill
Berry	Davis (IL)	Himes
Blumenauer	Davis (TN)	Hinchev
Bocieri	DeGette	Hinojosa
Boren	Delahunt	Hirono
Boswell	DeLauro	Hodes
Boucher	Diaz-Balart, L.	Holden
Boyd	Diaz-Balart, M.	Holt
Brady (PA)	Dicks	Honda
Braley (IA)	Dingell	Hoyer
Brown, Corrine	Doggett	Inslee
Butterfield	Doyle	Israel
Cao	Edwards (MD)	Jackson (IL)
Capito	Edwards (TX)	Jackson-Lee
Capps	Ellison	(TX)
Cardoza	Ellsworth	Johnson (GA)
Carnahan	Emerson	Johnson, E. B.
Carney	Engel	Kagen
Carson (IN)	Eshoo	Kaptur
Carter	Etheridge	Kildee
Castor (FL)	Farr	Kilroy
Chandler	Filner	Kirk
Childers	Foster	Kissell
Clarke	Frank (MA)	Klein (FL)
Clay	Fudge	Kosmas
Cleaver	Gonzalez	Kucinich
Clyburn	Gordon (TN)	Lance
Cohen	Grayson	Langevin
Cole	Green, Al	Larsen (WA)

Larson (CT)	Ortiz	Simpson
Latham	Pallone	Sires
Lee (CA)	Pascarell	Skelton
Levin	Pastor (AZ)	Slaughter
Lewis (CA)	Payne	Smith (WA)
Lipinski	Perlmutter	Snyder
Loeback	Peters	Space
Lofgren, Zoe	Peterson	Speier
Lowey	Pingree (ME)	Spratt
Lujan	Polis (CO)	Stark
Lynch	Pomeroy	Stupak
Maffei	Price (NC)	Sutton
Maloney	Quigley	Tauscher
Markey (MA)	Rahall	Thompson (CA)
Matsui	Rangel	Thompson (MS)
McCarthy (NY)	Reyes	Tierney
McCollum	Richardson	Titus
McDermott	Rodriguez	Tonko
McGovern	Ros-Lehtinen	Towns
McIntyre	Ross	Tsongas
McMahon	Rothman (NJ)	Van Hollen
Meek (FL)	Roybal-Allard	Visclosky
Meeks (NY)	Ruppersberger	Walz
Melancon	Rush	Wamp
Michaud	Ryan (OH)	Wasserman
Miller (NC)	Salazar	Schultz
Miller, George	Sanchez, Loretta	Waters
Mollohan	Sarbanes	Watson
Moore (KS)	Schakowsky	Watt
Moore (WI)	Schauer	Waxman
Moran (VA)	Schiff	Weiner
Murphy (CT)	Schrader	Welch
Murtha	Schwartz	Wexler
Murphy (NY)	Scott (GA)	Wilson (OH)
Napolitano	Scott (VA)	Woolsey
Neal (MA)	Serrano	Wu
Oberstar	Shea-Porter	Yarmuth
Obey	Sherman	Young (AK)
Oliver	Shuler	Young (FL)

NAYS—178

Adler (NJ)	Gallegly	McMorris
Akin	Garrett (NJ)	Rodgers
Alexander	Gerlach	McNerney
Altmire	Giffords	Mica
Arcuri	Gingrey (GA)	Miller (MI)
Austria	Gohmert	Miller, Gary
Bachus	Goodlatte	Minnick
Bartlett	Granger	Mitchell
Barton (TX)	Graves	Moran (KS)
Bean	Green, Gene	Murphy (NY)
Biggart	Guthrie	Murphy, Patrick
Bilbray	Hall (TX)	Murphy, Tim
Bilirakis	Harper	Myrick
Bishop (UT)	Hastings (WA)	Neugebauer
Blackburn	Heller	Nunes
Blunt	Hensarling	Nye
Boehner	Herger	Olson
Bonner	Hoekstra	Paul
Bono Mack	Hunter	Paulsen
Boozman	Inglis	Pence
Boustany	Issa	Perriello
Brady (TX)	Jenkins	Petri
Bright	Johnson (IL)	Pitts
Broun (GA)	Johnson, Sam	Platts
Brown (SC)	Jones	Poe (TX)
Brown-Waite,	Jordan (OH)	Posey
Ginny	Kind	Price (GA)
Buchanan	King (IA)	Putnam
Burgess	King (NY)	Radanovich
Burton (IN)	Kingston	Rehberg
Buyer	Kirkpatrick (AZ)	Reichert
Calvert	Kline (MN)	Roe (TN)
Camp	Kratovil	Rogers (AL)
Campbell	Lamborn	Rogers (KY)
Cantor	Latta	Rogers (MI)
Cassidy	Lee (NY)	Rohrabacher
Castle	Linder	Rooney
Chaffetz	LoBiondo	Roskam
Coble	Lucas	Royce
Coffman (CO)	Luetkemeyer	Ryan (WI)
Conaway	Lummis	Scalise
Costello	Lungren, Daniel	Schmidt
Culberson	E.	Schock
Davis (KY)	Mack	Sensenbrenner
Dent	Manzullo	Shimkus
Donnelly (IN)	Marchant	Shuster
Drayer	Markey (CO)	Smith (NE)
Driebehaus	Marshall	Smith (NJ)
Duncan	Massa	Smith (TX)
Ehlers	Matheson	Souder
Flake	McCarthy (CA)	Stearns
Fleming	McCaul	Tanner
Forbes	McClintock	Taylor
Fortenberry	McCotter	Teague
Fox	McHenry	Terry
Franks (AZ)	McHugh	Thompson (PA)
Frelinghuysen	McKeon	Thornberry
		Tiahrt

Tiberi	Walden	Wittman
Turner	Whitfield	Wolf
Upton	Wilson (SC)	

NOT VOTING—23

Bachmann	Fattah	Sanchez, Linda
Barrett (SC)	Harman	T.
Bishop (GA)	Kanjorski	Sessions
Bishop (NY)	Kennedy	Sestak
Capuano	Kilpatrick (MI)	Shadegg
Davis (AL)	LaTourette	Sullivan
Deal (GA)	Lewis (GA)	Velázquez
DeFazio	Miller (FL)	Westmoreland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in the vote.

□ 1309

Ms. CORRINE BROWN of Florida changed her vote from “nay” to “yea.” So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. MILLER of Florida. Madam Speaker, on rollcall No. 413, I was detained in a meeting. Had I been present, I would have voted “nay.”

PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. I was unable to attend to several votes today. Had I been present, I would have voted “yea” on the Motion to Recommit H.R. 2918, Legislative Branch Appropriations Act for FY 2010, and “yea” on Final Passage of H.R. 2918, Legislative Branch Appropriations Act for 2010.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

IMPEACHING JUDGE SAMUEL B. KENT

Mr. CONYERS. Mr. Speaker, by direction of the Committee on Judiciary, I call up House Resolution 520 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 520

Resolved, That Samuel B. Kent, a judge of the United States District Court for the Southern District of Texas, is impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and all of the people of the United States of America, against Samuel B. Kent, a judge of the United States District Court for the Southern District of Texas, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I

Incident to his position as a United States district court judge, Samuel B. Kent has engaged in conduct with respect to employees

associated with the court that is incompatible with the trust and confidence placed in him as a judge, as follows:

(1) Judge Kent is a United States District Judge in the Southern District of Texas. From 1990 to 2008, he was assigned to the Galveston Division of the Southern District, and his chambers and courtroom were located in the United States Post Office and Courthouse in Galveston, Texas.

(2) Cathy McBroom was an employee of the Office of the Clerk of Court for the Southern District of Texas, and served as a Deputy Clerk in the Galveston Division assigned to Judge Kent's courtroom.

(3) On one or more occasions between 2003 and 2007, Judge Kent sexually assaulted Cathy McBroom, by touching her private areas directly and through her clothing against her will and by attempting to cause her to engage in a sexual act with him.

Wherefore, Judge Samuel B. Kent is guilty of high crimes and misdemeanors and should be removed from office.

ARTICLE II

Incident to his position as a United States district court judge, Samuel B. Kent has engaged in conduct with respect to employees associated with the court that is incompatible with the trust and confidence placed in him as a judge, as follows:

(1) Judge Kent is a United States District Judge in the Southern District of Texas. From 1990 to 2008, he was assigned to the Galveston Division of the Southern District, and his chambers and courtroom were located in the United States Post Office and Courthouse in Galveston, Texas.

(2) Donna Wilkerson was an employee of the United States District Court for the Southern District of Texas.

(3) On one or more occasions between 2001 and 2007, Judge Kent sexually assaulted Donna Wilkerson, by touching her in her private areas against her will and by attempting to cause her to engage in a sexual act with him.

Wherefore, Judge Samuel B. Kent is guilty of high crimes and misdemeanors and should be removed from office.

ARTICLE III

Samuel B. Kent corruptly obstructed, influenced, or impeded an official proceeding as follows:

(1) On or about May 21, 2007, Cathy McBroom filed a judicial misconduct complaint with the United States Court of Appeals for the Fifth Circuit. In response, the Fifth Circuit appointed a Special Investigative Committee (hereinafter in this article referred to as "the Committee") to investigate Cathy McBroom's complaint.

(2) On or about June 8, 2007, at Judge Kent's request and upon notice from the Committee, Judge Kent appeared before the Committee.

(3) As part of its investigation, the Committee sought to learn from Judge Kent and others whether he had engaged in unwanted sexual contact with Cathy McBroom and individuals other than Cathy McBroom.

(4) On or about June 8, 2007, Judge Kent made false statements to the Committee regarding his unwanted sexual contact with Donna Wilkerson as follows:

(A) Judge Kent falsely stated to the Committee that the extent of his unwanted sexual contact with Donna Wilkerson was one kiss, when in fact and as he knew he had engaged in repeated sexual contact with Donna Wilkerson without her permission.

(B) Judge Kent falsely stated to the Committee that when told by Donna Wilkerson his advances were unwelcome no further contact occurred, when in fact and as he knew, Judge Kent continued such advances even after she asked him to stop.

(5) Judge Kent was indicted and pled guilty and was sentenced to imprisonment for the felony of obstruction of justice in violation of section 1512(c)(2) of title 18, United States Code, on the basis of false statements made to the Committee. The sentencing judge described his conduct as "a stain on the justice system itself".

Wherefore, Judge Samuel B. Kent is guilty of high crimes and misdemeanors and should be removed from office.

ARTICLE IV

Judge Samuel B. Kent made material false and misleading statements about the nature and extent of his nonconsensual sexual contact with Cathy McBroom and Donna Wilkerson to agents of the Federal Bureau of Investigation on or about November 30, 2007, and to agents of the Federal Bureau of Investigation and representatives of the Department of Justice on or about August 11, 2008.

Wherefore, Judge Samuel B. Kent is guilty of high crimes and misdemeanors and should be removed from office.

□ 1315

CALL OF THE HOUSE

Mr. SENSENBRENNER. Mr. Speaker, under clause 7 of rule XX, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members responded to their names:

[Roll No. 414]

Abercrombie	Capps	Ellsworth
Aderholt	Cardoza	Emerson
Adler (NJ)	Carnahan	Engel
Akin	Carney	Etheridge
Alexander	Carson (IN)	Fallin
Altmire	Carter	Filner
Andrews	Cassidy	Flake
Arcuri	Castle	Fleming
Austria	Castor (FL)	Forbes
Baca	Chaffetz	Fortenberry
Bachus	Chandler	Foster
Baird	Childers	Fox
Baldwin	Clarke	Franks (AZ)
Barrow	Clay	Frelinghuysen
Bartlett	Cleaver	Fudge
Barton (TX)	Clyburn	Galleghy
Bean	Coble	Garrett (NJ)
Becerra	Coffman (CO)	Gerlach
Berkley	Cohen	Giffords
Berry	Cole	Gingrey (GA)
Biggart	Conaway	Gohmert
Bilbray	Connolly (VA)	Gonzalez
Bilirakis	Conyers	Goodlatte
Bishop (UT)	Cooper	Gordon (TN)
Blackburn	Costa	Granger
Blumenauer	Costello	Graves
Blunt	Courtney	Grayson
Boccieri	Crenshaw	Green, Al
Boehner	Crowley	Green, Gene
Bonner	Cuellar	Griffith
Bono Mack	Culberson	Grijalva
Boozman	Cummings	Guthrie
Boren	Dahlkemper	Gutierrez
Boswell	Davis (CA)	Hall (NY)
Boustany	Davis (IL)	Hall (TX)
Boyd	Davis (KY)	Halvorson
Brady (PA)	Davis (TN)	Hare
Brady (TX)	DeGette	Harper
Braley (IA)	DeLauro	Hastings (FL)
Bright	Dent	Hastings (WA)
Broun (GA)	Diaz-Balart, L.	Heinrich
Brown (SC)	Diaz-Balart, M.	Heller
Brown, Corrine	Dicks	Hensarling
Brown-Waite,	Doggett	Herge
Ginny	Donnelly (IN)	Herseth Sandlin
Buchanan	Doyle	Higgins
Butterfield	Dreier	Hill
Buyer	Driebehaus	Himes
Calvert	Duncan	Hinchey
Camp	Edwards (MD)	Hinojosa
Campbell	Edwards (TX)	Hirono
Cantor	Ehlers	Hodes
Cao	Ellison	Hoekstra
Capito		Holden

Holt	McMahon	Ryan (OH)
Honda	McMorris	Ryan (WI)
Hoyer	Rodgers	Salazar
Hunter	McNerney	Sanchez, Loretta
Inglis	Meek (FL)	Sarbanes
Inslee	Meeks (NY)	Scalise
Israel	Mica	Schakowsky
Issa	Michaud	Schauer
Jackson (IL)	Miller (FL)	Schiff
Jackson-Lee	Miller (MI)	Schmidt
(TX)	Miller (NC)	Schock
Jenkins	Miller, Gary	Schrader
Johnson (GA)	Miller, George	Schwartz
Johnson (IL)	Minnick	Scott (GA)
Johnson, E. B.	Mitchell	Scott (VA)
Johnson, Sam	Mollohan	Sensenbrenner
Jones	Moore (KS)	Serrano
Jordan (OH)	Moore (WI)	Shea-Porter
Kagen	Moran (KS)	Sherman
Kaptur	Moran (VA)	Shimkus
Kildee	Murphy (CT)	Shuler
Kilroy	Murphy (NY)	Shuster
Kind	Murphy, Patrick	Simpson
King (IA)	Murphy, Tim	Sires
King (NY)	Murtha	Skelton
Kingston	Myrick	Slaughter
Kirk	Nadler (NY)	Smith (NE)
Kirkpatrick (AZ)	Napolitano	Smith (NJ)
Kissell	Neal (MA)	Smith (TX)
Klein (FL)	Neugebauer	Smith (WA)
Kosmas	Nunes	Snyder
Kratovil	Nye	Souder
Kucinich	Oberstar	Space
Lamborn	Obey	Spratt
Lance	Olson	Stearns
Langevin	Olver	Stupak
Larsen (WA)	Ortiz	Sutton
Larson (CT)	Pascarell	Tanner
Latham	Pastor (AZ)	Tauscher
Latta	Paul	Taylor
Lee (CA)	Paulsen	Teague
Lee (NY)	Payne	Terry
Levin	Pence	Thompson (CA)
Lewis (CA)	Perlmutter	Thompson (MS)
Linder	Perriello	Thompson (PA)
Lipinski	Peters	Thornberry
LoBiondo	Peterson	Tiahrt
Loeback	Petri	Tiberi
Lofgren, Zoe	Pingree (ME)	Tierney
Lowe	Pitts	Titus
Lucas	Platts	Tonko
Luetkemeyer	Poe (TX)	Towns
Lujan	Polis (CO)	Tsongas
Lummis	Pomeroy	Turner
Lungren, Daniel	Posey	Upton
E.	Price (GA)	Van Hollen
Lynch	Price (NC)	Visclosky
Mack	Putnam	Walden
Maffei	Quigley	Walz
Maloney	Radanovich	Wamp
Manzullo	Rahall	Wasserman
Marchant	Rehberg	Schultz
Markey (CO)	Reichert	Waters
Markey (MA)	Reyes	Watson
Marshall	Richardson	Watt
Massa	Rodriguez	Weiner
Matheson	Roe (TN)	Welch
Matsui	Rogers (AL)	Wexler
McCarthy (CA)	Rogers (KY)	Whitfield
McCarthy (NY)	Rogers (MI)	Wilson (OH)
McCaul	Rohrabacher	Wilson (SC)
McClintock	Rooney	Wittman
McCollum	Ros-Lehtinen	Wolf
McCotter	Roskam	Woolsey
McDermott	Ross	Wu
McGovern	Rothman (NJ)	Yarmuth
McHenry	Roybal-Allard	Young (AK)
McHugh	Royce	Young (FL)
McIntyre	Ruppersberger	
McKeon	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. JACKSON of Illinois) (during the vote). There are 2 minutes remaining in the call of the House.

□ 1333

The SPEAKER pro tempore. 395 Members have recorded their presence. A quorum is present.